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August 15, 2024

**VIA ECF**

The Honorable Judge Chen  
United States District Court  
Northern District of California  
San Francisco Courthouse  
Courtroom 5, 17th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: Guardant Health, Inc. v. Natera, Inc., Case No. 3:21-cv-04062-EMC

Dear Judge Chen:

Natera hereby submits the attached August 15, 2024 letter from Howard Hochster, MD, FACP, in response to the hearing on July 26, 2024.

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

*/s/ Andrew J. Bramhall*

Andrew J. Bramhall

cc: All counsel of record

**quinn emanuel urquhart & sullivan, llp**

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# **Attachment A**



Rutgers, The State University of New Jersey  
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New Brunswick, NJ 08903-2681

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732-235-2465

August 15, 2024

Dear Judge Chen and counsel,

I write following the July 26, 2024, hearing related to my email search in response to Guardant's subpoena to me and my involvement in the COBRA trial.

I now realize that my search and review of my emails, as well as my memory, were inexcusably deficient, resulting in trouble and frustration to Guardant, Natera, and the Court. I sincerely apologize to the Court, the parties, and the parties' counsel for my actions and my failures regarding the search, which I regret and for which I take complete responsibility. I had no intention to mislead anyone or to hide anything.

I understand the parties are undertaking forensic examination of my emails. I will fully cooperate and provide all necessary assistance. I am not being compensated for this work.

Moreover, I understand that Guardant has accused me publicly of intentionally manipulating and sabotaging the COBRA trial on Natera's behalf. I categorically deny these allegations. I did not attempt to manipulate or sabotage COBRA on anyone's behalf, including Natera. I had my own patients enrolled in this study, advocated for it within and outside my institution, and wanted it to succeed. My hope and expectation was that the trial would be positive and would lead to a new paradigm for treating stage II colon cancer.

I am available to answer any questions from the Court.

Respectfully submitted,

A handwritten signature in black ink that reads "Howard Hochster".

Howard S. Hochster, MD

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